

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

CRYSTAL TAITT-PHILLIP,

Plaintiff,

vs.

No. 2:21-cv-00150-KWR-GBW

LOCKHEED MARTIN CORP. AND  
LOCKHEED MARTIN SERVICES, LLC,

Defendants.

**ORDER GRANTING DEFENDANT LOCKHEED MARTIN SERVICES, LLC'S  
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

**THIS MATTER** came before the Court on Defendant, Lockheed Martin Services, LLC's *Motion to Dismiss for Lack of Jurisdiction* (hereinafter "Motion") (Doc. 18) filed on **June 15, 2021**. The Court having reviewed the Motion and being fully advised in the premises therein **HEREBY FINDS AS FOLLOWS:**

1. Defendant, Lockheed Martin Services, LLC (hereinafter "LMS") filed its Motion on **June 15, 2021** citing lack of personal jurisdiction.
2. Pursuant to the Federal Rules of Civil Procedure and District of New Mexico Local Rules, Plaintiff, Crystal Taitt-Phillip (hereinafter "Plaintiff"), had fourteen (14) days to respond to Defendant LMS' Motion. Plaintiff's response was due **June 29, 2021**. *See* D.N.M.LR-Civ. 7.4(a).
3. To date, Plaintiff, Crystal Taitt-Phillip, has failed to file a response to Defendant LMS' Motion or to request or stipulate to an extension of time to file a response.
4. On **July 6, 2021**, Defendant LMS filed its Reply in Support of Its Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 20) requesting the Court grant its Motion based

on the fact that Plaintiff has failed to file her response in a timely manner. Accordingly, “[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion.” *See* D.N.M.LR-Civ. 7.4(b). Additionally, “by failing to file a response within the time specified by local rule, the nonmoving party waives the right to respond to or to controvert the facts asserted in the [] motion.” *Reed v. Bennett*, 312 F.3d 1190, 1195 (10th Cir. 2002).

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:**

1. Defendant LMS’ Motion is **WELL-TAKEN** and is **GRANTED**.
2. All claims that have been brought, or could have been brought, by Plaintiff, Crystal Taitt-Phillip against Defendant LMS are **DISMISSED WITHOUT PREJUDICE**.
3. Defendant LMS **SHALL BE TERMINATED** as party from this matter upon entry of this Order by the Court.

**IT IS SO ORDERED.**

  
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**KEA W. RIGGS**  
**UNITED STATES DISTRICT JUDGE**